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Attorneys for Defendants VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON, and BARRY ZWARENSTEIN

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

JOEL EICHENHOLTZ, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

VERIFONE HOLDINGS, INC., DOUGLAS  
G. BERGERON, and BARRY  
ZWARENSTEIN,

Defendants.

Case No. C 07-6140 MHP

**DECLARATION OF BRENDAN P.  
CULLEN IN SUPPORT OF  
DEFENDANTS VERIFONE HOLDINGS,  
INC., DOUGLAS G. BERGERON AND  
BARRY ZWARENSTEIN'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER CASES  
SHOULD BE RELATED PURSUANT TO  
CIVIL LOCAL RULE 3-12**

Judge: The Hon. Marilyn H. Patel  
Courtroom: 15

1 I, BRENDAN P. CULLEN, declare as follows:

2 1. I am an attorney duly licensed by the State of California and am admitted to  
3 practice before this court. I am a partner at Sullivan & Cromwell LLP, and am responsible for the  
4 representation of Defendants VeriFone Holdings, Inc., Douglas G. Bergeron, and Barry Zwarenstein in  
5 the above-referenced matters.

6 2. I provide this declaration in support of the Defendants' Administrative Motion to  
7 Consider Whether Cases Should be Related Pursuant to Civil Local Rule 3-12.

8 3. Attached hereto as Exhibit A is a true and correct copy of a complaint captioned  
9 *Eichenholtz v. VeriFone Holdings, Inc., et al.*, Case No. C 07-6140 MHP filed on December 4, 2007 in  
10 the Northern District of California and assigned to the Honorable Marilyn H. Patel.

11 4. Attached hereto as Exhibit B is a true and correct copy of a complaint captioned  
12 *Lien v. VeriFone Holdings, Inc., et al.*, Case No. C 07-6195 JSW filed on December 6, 2007 and  
13 assigned to the Honorable Jeffrey S. White.

14 5. Attached hereto as Exhibit C is a true and correct copy of a complaint captioned  
15 *Vaughn, et al. v. VeriFone Holdings, Inc., et al.*, Case No. C 07-6197 VRW filed on December 6, 2007  
16 and assigned to the Honorable Vaughn R. Walker.

17 6. Attached hereto as Exhibit D is a true and correct copy of a complaint captioned  
18 *Feldman, et al. v. VeriFone Holdings, Inc., et al.*, Case No. C 07-6218 MMC filed on December 7, 2007  
19 and assigned to the Honorable Maxine M. Chesney.

20 7. Attached hereto as Exhibit E is a true and correct copy of a complaint captioned  
21 *Cerini v. VeriFone Holdings, Inc., et al.*, Case No. C 07-6228 SC filed on December 10, 2007 in the  
22 Northern District of California and assigned to the Honorable Samuel Conti.

23 8. Attached hereto as Exhibit F is a true and correct copy of a complaint captioned  
24 *Westend Capital Management LLC v. VeriFone Holdings, Inc., et al.*, Case No. C 07-6237 MMC filed  
25 on December 10, 2007 and assigned to the Honorable Maxine M. Chesney.

26 9. Attached hereto as Exhibit G is a true and correct copy of a complaint captioned  
27 *Hill v. VeriFone Holdings, Inc., et al.*, Case No. C 07-6238 MHP filed on December 10, 2007 and  
28 assigned to the Honorable Marilyn H. Patel.

